West Virginia Department of Environmental Protection
Division of Air Quality

Joe Manchin, III
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Modify

R13-0760D

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

Consolidation Coal Company
Loveridge Preparation Plant
049-00019

John A. Benedict
Director

Issued: Draft • Effective: Draft

This permit will supercede and replace Permit R13-0760C approved on December 8, 2006.

Facility Location:	Fairview, Marion County, West Virginia
Mailing Address:	P.O. Box 100, Osage, WV 26543
Facility Description:	Coal Preparation Plant with a Thermal Dryer
SIC Codes:	1222 (Bituminous Coal & Lignite - Underground)
UTM Coordinates:	561.6 km Easting • 4383.9 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	Consol is increasing the maximum sulfur content of the coal combusted in the thermal dryer furnace from 2.5% to 3.4%.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

The source is subject to 45CSR30. The permitted facility's Title V (45CSR30) permit R30-04900019-2003, issued on June 30, 2003, must be revised before commencing operation of the activity (activities) authorized by this permit.

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1.0 Emission Units

Emission Unit ID	Emission Unit Description	Year Installed or Modified	Design Capacity lb/hour	Design Capacity TPY	Control Device(s)[1]
Raw Coal Circuit					
001	**Conveyor 1** - Mine slope belt to Raw Coal Transfer Building	pre 1974	3,000	26,280,000	FE
005	**Conveyor 3** - Belt from Raw Coal Transfer Building to Raw Coal Storage Bin 1	pre 1974	3,000	26,280,000	FE
006	**Storage Bin 1** - Raw Coal storage silo from Conveyor 3 and transfers to Conveyor 4; Storage capacity is 15,000 tons	pre 1974	2,000	17,520,000	FE
008	**Conveyor 4** - Belt from Raw Coal Storage Bin 1 to Prep Plant	pre 1974	2,000	12,000,000	FE
002	**Conveyor 2** - Belt from Raw Coal Transfer Building to Raw Coal Stockpile 1 Stacking Tube 1	1989	3,000	900,000	FE
003A	**Raw Coal Stockpile 1** - Stockpile equipped with Stacking Tube 1 and Stacking Tube 2; Stockpile footprint is 9.55 acres with a storage capacity of 450,000 tons	2005	3,000	26,280,000	ST
052	**Conveyor 21** - Belt from Raw Coal Transfer Building to Raw Coal Stockpile 1 Stacking Tube 2	2005	3,000	12,000,000	FE
053	**Conveyor 22** - Belt from Raw Coal Stockpile 1 to Conveyor 4	2005	3,000	12,000,000	FE
007	**Raw Coal Stockpile 2** - Stockpile footprint is 3.8 acres with a storage capacity of 70,000 tons	1993	1,800	210,000	MC
Stoker Coal Circuit					
037	**Conveyor 19** - Belt from Prep Plant to Stoker Coal Truck Loadout	pre 1974	300	1,800,000	FE
051A	**Conveyor 20** - Belt from Prep Plant to Stoker Coal Railcar Loadout	pre 1974	300	1,800,000	FE
046	**Lime Storage Silo 1**	pre 1974	NA	NA	NA
048	**Rock Dust Silo 1**	pre 1974	NA	NA	NA
Clean Coal Thermal Dryer Ciruit					
034	**Conveyor 15** - Belt from Prep Plant to Thermal Dryer 1	1985	600	3,600,000	FE
045A	**Thermal Dryer** - ENI Eng. Co. Fluidized Bed Dryer rated at 182MM BTU/hr Heat Input	1985	max 600 normal 450	3,600,000	4 Parallel Cyclones
045C	**Thermal Dryer Furnace** - Bigelow Liptak forced draft burner rated at 182MM BTU/hr Heat Input	1985	4.35 (TPH)	26,100	Horizontal Venturi Scrubber
035	**Conveyor 16** - Belt from Thermal Dryer to Conveyor 17	1985	600	3,600,000	FE
036	**Conveyor 17** - Belt from Conveyor 16 to Conveyor 18	1985	600	3,600,000	FE
036B	**Conveyor 18** - Belt from Conveyor 17 to Conveyor 6	1985	600	3,600,000	FE
Clean Coal Circuit					
013	**Conveyor 5** - Belt from Prep Plant to Conveyor 6	pre 1974	1,800	10,800,000	FE
015	**Conveyor 6** - Belt from Conveyor 5 and Conveyor 18 to Clean Coal Silo 1 or Conveyor 7	pre 1974	1,800	10,800,000	FE
Clean Coal Storage					
017	**Clean Coal Silo 1** - Clean Coal storage silo from Conveyor 6 and transfers to Conveyor 8; Storage capacity is 10,500 tons	pre 1974	3,000	18,000,000	FE

030	**Conveyor 7** - Belt from Conveyor 6 to Clean Coal Silo 2 or Conveyor 7A	1981	1,800	10,800,000	FE
044	**Clean Coal Silo 2** - Clean Coal storage silo from Conveyor 6 and transfers to Conveyor 8; Storage capacity is 10,500 tons	1981	3,000	18,000,000	FE
031	**Conveyor 13** - Belt from Clean Coal Silo 2 to Conveyor 8	1981	3,000	18,000,000	FE
030A	**Conveyor 7A** - Belt from Conveyor 7 to Clean Coal Silo 3	2006	1,800	10,800,000	FE
044A	**Clean Coal Silo 3** - Clean Coal storage silo from Conveyor 6 and transfers to Conveyor 8; Storage capacity is 10,500 tons	2006	1,800 in / 3,000 out	10,800,000	FE
031A	**Conveyor 13A** - Belt from Clean Coal Silo 3 to Conveyor 8	2006	3,000	18,000,000	FE
Clean Coal Shipping by Truck and Railcar					
018	**Conveyor 8** - Belt from Clean Coal Silo 1, Conveyor 13 and Conveyor 13A to Single Railcar and Truck Loadout or Conveyor 9	pre 1974	3,000	18,000,000	FE
038A	**Single Railcar and Truck Loadout**	1981	3,000	18,000,000	PE
032	**Conveyor 9** - Belt from Conveyor 8 to Unit Train Loadout 1	pre 1974	3,000	18,000,000	FE
Refuse Circuit					
021	**Conveyor 10** - Course refuse belt from Prep Plant to Conveyor 11	pre-1974	400	2,400,000	FE
023	**Conveyor 11** - Course refuse belt from Conveyor 10 to Refuse Bin 2	pre-1974	400	2,400,000	FE
027A	**Refuse Bin 2** - Coarse refuse bin from Conveyor 11 to Pan Truck Loading	pre-1974	400	2,400,000	FE
025	**Conveyor 12** - Course refuse belt from Conveyor 11 to Conveyor 14	pre-1974	400	2,400,000	FE
033	**Conveyor 14** - Course refuse belt from Conveyor12 to Refuse Bin 1	1983	400	2,400,000	FE
027	**Refuse Bin 1** - Course refuse belt from Conveyor 14 to Pan Truck Loading	1983	400	2,400,000	FE

[1] PE - Partial Enclosure, FE - Full Enclosure, ST - Stacking Tube, WS - Water Spray.

2.0. General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments		in diameter
CBI	Confidential Business Information	**PM_{10}**	Particulate Matter less than 10µm in diameter
CEM	Continuous Emission Monitor		
CES	Certified Emission Statement	**Ppb**	Pounds per Batch
C.F.R. *or* CFR	Code of Federal Regulations	**pph**	Pounds per Hour
CO	Carbon Monoxide	**ppm**	Parts per Million
C.S.R. *or* CSR	Codes of State Rules	**Ppmv or ppmv**	Parts per million by volume
DAQ	Division of Air Quality		
DEP	Department of Environmental Protection	**PSD**	Prevention of Significant Deterioration
dscm	Dry Standard Cubic Meter	**psi**	Pounds per Square Inch
FOIA	Freedom of Information Act	**SIC**	Standard Industrial Classification
HAP	Hazardous Air Pollutant	**SIP**	State Implementation Plan
HON	Hazardous Organic NESHAP	**SO_2**	Sulfur Dioxide
HP	Horsepower	**TAP**	Toxic Air Pollutant
lbs/hr	Pounds per Hour	**TPY**	Tons per Year
LDAR	Leak Detection and Repair	**TRS**	Total Reduced Sulfur
M	Thousand	**TSP**	Total Suspended Particulate
MACT	Maximum Achievable Control Technology	**USEPA**	United States Environmental Protection Agency
MDHI	Maximum Design Heat Input	**UTM**	Universal Transverse Mercator
MM	Million	**VEE**	Visual Emissions Evaluation
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour	**VOC**	Volatile Organic Compounds
		VOL	Volatile Organic Liquids
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour		
NA	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	Nitrogen Oxides		
NSPS	New Source Performance Standards		
PM	Particulate Matter		
$PM_{2.5}$	Particulate Matter less than 2.5µm		

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.4. Term and Renewal

2.4.1. This permit supercedes and replaces previously issued Permit R13-0760C approved on December 8, 2006. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Applications R13-0760D, R13-0760C, R13-0760B, R13-0760A and R13-0760 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 13-10.3]

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification to this permit as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
[45CSR§14-7 or 45CSR§19-14]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are not met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1]**

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§15]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
[WV Code § 22-5-4(a)(15)]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken. **[45CSR§4. *State-Enforceable only.*]**

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

If to the USEPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Operating Fee.**

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. Emissions from the permitted fluidized bed coal dryer stack shall not exceed the following rates:

Pollutant	pounds/hour	tons/year
Particulate Matter (PM)[(1)]	40.0	120.0
Sulfur Dioxide (SO_2)	195.0	586.0
Nitrogen Oxides (NO_X)	63.6	190.8
Volatile Organic Compounds (VOC)	135.6	406.8
Carbon Monoxide (CO)	57.6	172.8

(1) All PM emissions are assumed to be $PM_{2.5}$ or smaller.

4.1.2. Operation of the thermal dryer shall be in accordance with the following requirements:

a. The furnace shall be limited to a maximum combustion rate of 4.35 tons-coal/hour and 26,100 tons-coal/year (rolling twelve month basis).

b. The furnace shall be limited to a maximum combustion rate of 3,033 cubic feet-coal bed methane or natural gas/hour and 1.82×10^6 cubic feet-coal bed methane or natural gas/year (rolling twelve month basis).

c. The sulfur content of the coal fired in the furnace shall not exceed 3.4% by weight.

d. Coal combustion shall be limited to providing 120 MMBtu/hr heat input into the furnace.

e. At all times coal combustion is providing over 90 MMBtu/hr heat input into the furnace a 20% solution of sodium hydroxide (NaOH) shall be sprayed downstream of the venturi scrubber to provide for additional SO_2 control.

f. Additional heat input to the furnace above 120 MMBtu/hr shall be provided by the combustion of coal bed methane or natural gas.

g. Heat input to the furnace shall not exceed 182 MMBtu/hr.

4.1.3. The permittee shall not emit particulate matter into the open air from any stack which is twenty percent (20%) opacity or greater, except as noted in (a) or (b) below.

a. The provisions of subsection 3.1 shall not apply to particulate matter emitted, which is less than sixty percent (60%) opacity for a period or periods aggregating no more than five (5) minutes in any sixty (60) minute period during operation.

b. The provisions of subsections 3.1 and 3.2 shall not apply to particulate matter emitted, which is less than sixty percent (60%) opacity for a period of up to eight (8) minutes in any operating day for the purposes of building a fire of operating quality in the fuel burning equipment of a thermal dryer.

[45CSR§5-3.1, 3.2, 3.3]

4.1.4. The permittee shall not emit particulate matter into the open air from any fugitive dust control system which is twenty percent (20%) opacity or greater.

[45CSR§5-3.4]

4.1.5. The permittee shall not cause to be discharged into the atmosphere from any thermal dryer gases which:

a. Contain particulate matter in excess of 0.070 g/dscm (0.031 gr/dscf).

b. Exhibit 20 percent opacity or greater.
[40 CFR §60.252(a)]

4.1.6. The permittee shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.
[40 CFR §60.252(c)]

4.2. Monitoring Requirements

4.2.1. For the purposes of demonstrating compliance with maximum coal and coal bed methane or natural gas usage limits set forth in 4.1.3(a) and 4.1.3(b), respectively , the permittee shall maintain monthly and rolling twelve month records of the amount of coal and coal bed methane or natural gas usage that is consumed by the furnace.

4.2.2. For the purposes of demonstrating continuing compliance with the coal sulfur content under 4.1.3(c), the permittee shall daily obtain a composite sample of coal to be combusted in the thermal dryer furnace. This sample shall be tested according to the appropriate test methods as approved in a protocol submitted pursuant to 3.3.1.c to determine the sulfur content of the coal.

4.2.3. The permittee shall install, evaluate, operate, and maintain instrumentation to measure the heat input into the furnace.

4.2.4. Instruments will be installed for measuring the pH of the scrubber inlet water and effluent water and pH monitors will be installed in the operating room so that the dryer operator can maintain the necessary influent pH to attain the required minimum SO_2 removal efficiency.

4.2.5. The permittee shall install flow straightening devices in the stack of the Loveridge fluidized bed thermal dryer to insure that cyclonic flow does not occur.

4.2.6. For the purpose of determining compliance with the opacity limits of 45CSR5 and 40 CFR 60 Subpart Y, the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit.

a. The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.

b. Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

c. If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of Method 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A Method 9 observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.

4.2.7. The permittee shall install, calibrate, maintain, and continuously operate monitoring devices as follows:

a. A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within ±1.7 °C (±3 °F).

b. For affected facilities that use venturi scrubber emission control equipment:

(1) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±1 inch water gauge.

(2) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within ±5 percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point. The Administrator may be consulted for approval of alternative locations.

[40 CFR §60.253(a)]

4.2.8. All monitoring devices under 4.2.7 are to be recalibrated annually in accordance with procedures under 40 CFR §60.13(b).
[40 CFR §60.253(b)]

4.3. Testing Requirements

4.3.1. Notwithstanding any other testing requirements, within 60 days after operating the furnace at a heat input rate in excess of 120 MMBtu/Hr, but not later than 180 days after issuance date of this permit, and at such times thereafter as may be required by the Secretary, the permittee shall conduct or have conducted performance test(s) on Thermal Dryer to determine compliance with the SO_2 emission limit under 4.1.1. The test shall be performed according to the following conditions:

a. The sulfur content of the coal fired in the furnace be, at a minimum, 3.4% by weight.

b. SO_2 emissions shall be determined when the furnace is operating at the following scenarios:

(1) Combusting only coal at a heat input of 90 MMBtu/Hr with no introduction of NaOH downstream of the scrubber.

(2) Combusting only coal at a heat input of 120 MMBtu/Hr with an introduction of a 20% solution of NaOH downstream of the scrubber.

(3) At a furnace heat input of 182 MMBtu/Hr with coal providing 120 MMBtu/Hr and coal bed methane providing 62 MMBtu/Hr and with an introduction of a 20% solution of NaOH downstream of the scrubber.

4.3.2. The test required under 4.3.1 shall be in accordance with 3.3.1.

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.4.4. An example form for the Monthly Opacity Testing is included as Appendix A to Permit R13-0706D. The Certification Of Data Accuracy statement shall be completed within fifteen (15) days of the end of the reporting period. These records shall be maintained on-site for at least five (5) years and be made available to the Director of the Division of Air Quality or his or her duly authorized representative upon request.

4.4.5. The permittee shall maintain records of all monitoring data required by Section 4.2 documenting the date and time of each visible emission check, the emission point or equipment / source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6-10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix D. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

4.5. Reporting Requirements

4.5.1. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Associate Director - Office of Enforcement and Permit Review (3AP12) of the USEPA a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Associate Director no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Associate Director no more than sixty (60) days after the date the testing takes place.

4.5.2. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

4.5.3. Any owner or operator subject to the provisions of this part shall furnish written notification as follows:
[40CFR§60.7(a)]

A notification of the date construction (or reconstruction) is commenced postmarked no later than 30 days after such date.
[40CFR§60.7(1)]

A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.
[40CFR§60.7(2)]

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
[40CFR§60.7(3)]

APPENDIX A [1]
Monthly Opacity Testing Records

Date of Observation: _____

Data Entered by: _____

Reviewed by: _____

Date Reviewed: _____

Describe the General Weather Conditions: _____

_____

_____

Stack ID/Vent ID/ Emission Point ID	Stack/Vent/Emission Point Description	Time of Observation	Visible Emissions? Yes/No	Consecutive Months of Visual Emissions	Comments

(1) The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Secretary or his or her duly authorized representative upon request.

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name and Title _____ .....
(please print or type) Name Title

Telephone No. _____ Fax No. _____

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[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.